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Before the
FEDERAL COMMUNICATIONS COMMISSION
 WASHINGTON, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION
 OFFICE OF THE SECRETARY

ORIGINAL

In the Matter of)

)
 The Establishment of Policies and
 Service Rules for the Non-Geostationary
 Satellite Orbit, Fixed Satellite Service
 in the Ku-Band)

IB Docket No. 01-96

**COMMENTS OF SKYBRIDGE ON PETITION FOR CLARIFICATION
AND PARTIAL RECONSIDERATION OF TELEDASIC LLC**

SkyBridge L.L.C. ("SkyBridge"), by its attorneys, hereby submits its comments on the Petition for Clarification and Partial Reconsideration' filed by Teledesic LLC ("Teledesic") on September 16, 2002, raising a series of questions regarding matters addressed in the Report and Order² in the above captioned proceeding.³

In its Petition, Teledesic supports the Commission's adoption of a sharing regime for Ku-band non-geostationary satellite orbit ("NGSO") Fixed-Satellite Service ("FSS") systems based on avoidance of "in-line events," but argues that the definition of in-line event adopted by the Commission, which is based on a fixed angular separation angle, is overly

¹ Petition for Clarification and Partial Reconsideration of Teledesic LLC, IB Docket No. 01-96, September 16, 2002 (the "Teledesic Petition").

² Establishment of Policies and Service Rules for the Non-Geostationary Satellite Orbit, Fixed Satellite Services in the Ku Band, 17 F.C.C. Rcd 7841 (2002).

³ SkyBridge agrees with Teledesic that the Commission should clarify certain aspects of its rules related to band usage, as described by Teledesic on pages 2-4 of its Petition. SkyBridge's comments below relate to Teledesic's proposals for the definition of an "in-line" event, discussed on pages 5-24 of the Teledesic Petition.

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simplistic.⁴ Instead, Teledesic advocates use of different separations angles for each pair of operating systems, with the angles computed according to the particular characteristics of each of the systems.⁵

As SkyBridge has explained in this proceeding, SkyBridge agrees with Teledesic that more efficient sharing is achieved when separation angles are based on actual system parameters.⁶ Indeed, SkyBridge has proposed such a method itself, as one option available to the Commission.⁷ SkyBridge does not, therefore, dispute the technical merits of such approaches.

However, SkyBridge remains concerned that the method described in the Teledesic Petition requires detailed information concerning the NGSO FSS systems, and cooperation among the operators to agree on the appropriate separation angle. The Ku-band systems on file with the Commission are at vastly different levels of development, and the availability of the required data, and good faith participation of all applicants, cannot be assured. SkyBridge's alternative approach, upon which the Commission appears to have based the regulatory scheme adopted in the Report and Order, was designed to provide a "default" solution that would govern sharing among any operators that, for whatever reason, cannot agree on a more optimum sharing arrangement tailored to their specific systems.

SkyBridge believes that most parties launching systems will find coordination beneficial, and will be motivated to participate in discussions with other operators to conduct

⁴ Teledesic Petition at 1, 5.

⁵ *Id.* at 1.

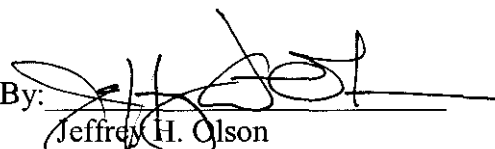
⁶ *See, e.g.*, Reply Comments of SkyBridge, IB Docket No. 01-96, August 6, 2001, at 15.

⁷ *See Ex Parte* Presentation of SkyBridge, IB Docket No. 01-96, January 31, 2002, slides 25-28.

analysis similar to that described by Teledesic in its Petition.’ It is not clear that it is essential to enshrine a particular set of detailed coordination techniques in the Commission’s Rules. However, as noted above, SkyBridge already is on record as stating that the sort of detailed approach proposed in the Teledesic Petition could represent a viable sharing solution. If the Commission is convinced that the simpler solution adopted in the Report and Order is, upon reflection, inadequate to cover all potential contingencies, then a more detailed approach, as proposed by SkyBridge and Teledesic, represents ~~an~~ appropriate, more finely-tuned alternative. Under either approach, it is critical that the obligation to coordinate does not arise until the system seeking coordination actually is ready to enter service.

Respectfully submitted,

SKYBRIDGE L.L.C.

By: 
 Jeffrey H. Olson
 Diane C. Gaylor

PAUL, WEISS, RIFKIND, WHARTON
 & GARRISON
 1615 L Street, N.W., Suite 1300
 Washington, D.C. 20036
 Telephone: (202) 223-7300
 Facsimile: (202) 223-7420

Its Attorneys

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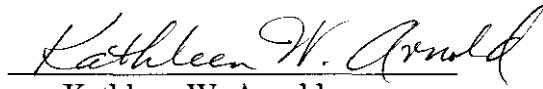
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This assumes adoption of a special provision governing “high-power” systems, as described in Comments of SkyBridge, IB Docket No. 01-96, September 30, 2002, at 2-6.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Comments of SkyBridge on Petition for Clarification and Partial Reconsideration of Teledesic LLC was served by United States first class mail, postage prepaid, on the 8th day of November, 2002, on the following:

Mark A. Grannis, **Esq.**
Kelly S. McGinn, **Esq.**
Harris, Wiltshire & Grannis LLP
1200 18th St., N.W.
Washington, DC 20036
Counsel to Teledesic LLC


Kathleen W. Arnold